

# **EXHIBIT A**

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH**

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**CHG COMPANIES, INC. d/b/a  
COMPHEALTH,**

Plaintiff,

v.

**SA HOSPITAL ACQUISITION  
GROUP d/b/a SOUTH CITY  
HOSPITAL,**

Defendant.

**DEFENDANT'S FIRST  
SUPPLEMENTAL RESPONSES TO  
PLAINTIFF'S FIRST SET OF  
DISCOVERY REQUESTS**

Case No.: 2:22-cv-450-RJS

Judge Robert J. Shelby

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COMES NOW Defendant SA Hospital Acquisition Group d/b/a South City Hospital (“Defendant”), and for its First supplemental Responses to Plaintiff’s CHG Companies, Inc. d/b/a Comphealth’s (“Plaintiff”) First Set of Discovery Requests, states as follows:

**RESPONSES AND OBJECTIONS TO INTERROGATORIES**

**INTERROGATORY NO. 1:** Identify the basis, including the application of law to fact, for the denial of paragraph 11 of the Complaint.

**RESPONSE: Objection.** This interrogatory is vague and seeks a legal conclusion as to the acceptance of services and further calls for an opinion regarding the legal weight of particular facts relating to the denial of paragraph 11 of the Complaint.

**INTERROGATORY NO. 2:** Identify the basis, including the application of law to fact, for the denial of paragraph 12 of the Complaint.

**RESPONSE: Objection.** This interrogatory is vague and seeks a legal conclusion and further calls for an opinion regarding the legal weight of particular facts relating to the denial of paragraph 12 of the Complaint. Subject to said objection, and without waiving the same, additional information responsive to this interrogatory is within the possession of the current managers of the hospital. Information has been requested and Defendant will supplement this response accordingly.

**INTERROGATORY NO. 2:** Identify the basis, including the application of law to fact, for the denial of paragraph 17 of the Complaint.

**RESPONSE: Objection.** This interrogatory is vague and seeks a legal conclusion as to what constitutes a valid and binding contract and further calls for an opinion regarding the legal weight of particular facts relating to the denial of paragraph 17 of the Complaint.

**INTERROGATORY NO. 3:** Identify the basis, including the application of law to fact, for the denial of paragraph 18 of the Complaint.

**RESPONSE: Objection.** This interrogatory is vague and seeks a legal conclusion as to both performance and contractual obligations and further calls for an opinion regarding the legal weight of particular facts relating to the denial of paragraph 18 of the Complaint.

**INTERROGATORY NO. 4:** Identify the basis, including the application of law to fact, for the denial of paragraph 19 of the Complaint.

**RESPONSE: Objection.** This interrogatory is vague and seeks a legal conclusion as to breach and further calls for an opinion regarding the legal weight of particular facts relating to the denial of paragraph 19 of the Complaint.

**INTERROGATORY NO. 5:** Identify the basis, including the application of law to fact, for the denial of paragraph 20 of the Complaint.

**RESPONSE: Objection.** This interrogatory is vague and seeks a legal conclusion and further calls for an opinion regarding the legal weight of particular facts relating to the denial of paragraph 20 of the Complaint. Subject to said objection, and without waiving the same, additional information responsive to this interrogatory is within the possession of the current managers of the hospital. Information has been requested and Defendant will supplement this response accordingly.

**INTERROGATORY NO. 6:** Explain the reason South City has failed to pay on any invoices since July 19, 2021 as shown in the calculation of damages included in Plaintiff's Rule 26 Initial Disclosures.

**RESPONSE: Objection.** This interrogatory is vague and seeks a legal conclusion and further calls for an opinion regarding the legal weight of particular facts relating to Defendant's affirmative defenses. Subject to said objection, and without waiving the same, additional information responsive to this interrogatory is within the possession of the current managers of the hospital. Information has been requested and Defendant will supplement this response accordingly.

**INTERROGATORY NO. 7:** Identify each patient seen by the Physicians and the services provided by the Physicians to those patients.

**RESPONSE:** Objection. Defendant objects to this Interrogatory as overly broad, unduly burdensome, irrelevant, immaterial and not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects as this interrogatory seeks information protected by HIPAA.

**SECOND SUPPLEMENTAL RESPONSE:** See SCH\_775-786.

**INTERROGATORY NO. 8:** Identify each payment you received for the services rendered by the Physicians.

**RESPONSE:** Objection. Defendant objects to this Interrogatory to the extent that it is overly broad and unduly burdensome. Defendant further objects to the extent that this Interrogatory seeks information that is irrelevant. Defendant further objects as this Interrogatory is vague and ambiguous.

**RESPONSES AND OBJECTIONS TO REQUESTS FOR PRODUCTION**

**REQUEST NO. 1:** Produce all documents, correspondence, instant messages (including texts and instant messages from service such as Facebook and Gmail) and/or communications reviewed or relied upon when responding to the interrogatories above.

**RESPONSE:** Defendant objects that this Request is overly broad, unduly burdensome, vague, calls for documents and information protected by attorney client privilege and the work product doctrine. Subject to and without waiving said objection, Defendant is aware of no such documents that are not otherwise being produced herein.

**FIRST SUPPLEMENTAL RESPONSE:** See SCH\_000245-000774.

**REQUEST NO. 2:** Produce all documents, correspondence, instant messages (including texts and instant messages from service such as Facebook and Gmail) and/or communications relating or pertaining to CHG.

**RESPONSE:** Defendant objects as this Request is overly broad, unduly burdensome, not limited in time or scope and calls for the production of documents equally available to Plaintiff. Subject to and without waiving said objection, see documents attached hereto labeled as SCH 0000001- 0000244. Further, additional documents which may be responsive to this request is within the possession of the current managers of the hospital. Documents have been requested and Defendant will supplement this response accordingly should responsive documents exist.

**FIRST SUPPLEMENTAL RESPONSE:** See SCH\_000245-000774.

**REQUEST NO. 3:** Produce all documents, correspondence, instant messages (including texts and instant messages from service such as Facebook and Gmail) and/or communications relating or pertaining to the Agreement.

**RESPONSE:** Defendant objects as this Request is overly broad, unduly burdensome, not limited in time or scope and calls for the production of documents equally available to Plaintiff. Subject to and without waiving said objection, see documents attached hereto labeled as SCH 0000001- 0000244. Further, additional documents which may be responsive to this request is within the possession of the current managers of the hospital. Documents have been requested and Defendant will supplement this response accordingly should responsive documents exist.

**FIRST SUPPLEMENTAL RESPONSE:** See SCH\_000245-000774.

**REQUEST NO. 4:** Produce all documents, correspondence, instant messages (including texts and instant messages from service such as Facebook and Gmail) and/or communications relating or pertaining to the Physicians including documentation of the time the Physicians rendered services for South City.

**RESPONSE:** Defendant objects as this Request is overly broad, unduly burdensome, not limited in time or scope and calls for the production of documents equally available to Plaintiff. Subject to and without waiving said objection, see documents attached hereto labeled as SCH 0000001- 0000244. Further, additional documents which may be responsive to this request is within the possession of the current managers of the hospital. Documents have been requested and Defendant will supplement this response accordingly should responsive documents exist.

**FIRST SUPPLEMENTAL RESPONSE:** See SCH\_000245-000774.

**REQUEST NO. 5:** Produce all documents, correspondence, instant messages (including texts and instant messages from service such as Facebook and Gmail) and/or communications relating or pertaining to payments you received for the services rendered to patients by the Physicians.

**RESPONSE:** Defendant objects as this Request is overly broad, unduly burdensome, not limited in time or scope and calls for the production of documents equally available to Plaintiff. Subject to and without waiving said objection, see documents attached hereto labeled as SCH 0000001- 0000244. Further, additional documents which may be responsive to this request is within the possession of the current managers of the hospital. Documents

have been requested and Defendant will supplement this response accordingly should responsive documents exist.

**REQUEST NO. 6:** Produce all documents identified in your initial disclosures.

**RESPONSE:** Defendant objects as this Request is overly broad, unduly burdensome, not limited in time or scope and calls for the production of documents equally available to Plaintiff. Subject to and without waiving said objection, see documents attached hereto labeled as SCH 0000001- 0000244. Further, additional documents which may be responsive to this request is within the possession of the current managers of the hospital. Documents have been requested and Defendant will supplement this response accordingly should responsive documents exist.

**REQUEST NO. 7:** Produce all documents you may use at trial.

**RESPONSE:** Defendant objects that the request invades the work product doctrine. Subject to and without waiving said objection, a decision as to trial exhibits has not yet been made. Defendant reserves the right to supplement this response in accordance with the Federal Rules of Civil Procedure.

Dated this 26<sup>th</sup> day of January, 2023.

/s/ Mayer S. Klein

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 26<sup>th</sup> day of January, 2023, I sent a copy of the foregoing to the following person(s) as indicated below.

Attorneys for Plaintiff:

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- ☐ U.S. Mail
- ☐ Overnight Mail
- ☐ Hand Delivery
- ☒ Electronic Mail
- ☐ Electronic Service via E-Filing

/s/ Mayer S. Klein